

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Robert William Lombardo,)
)
 Plaintiff,) C.A. No. 2:09-1154-HMH-RSC
)
 vs.) **OPINION & ORDER**
)
 Sergeant E. Babridge; Sergeant J.)
 McCombs; Greenville County Detention)
 Center; Officer J. Shapiro,)
)
 Defendants.)

This matter is before the court on Robert William Lombardo’s (“Lombardo”) motion to amend his complaint by dismissing Greenville County Detention Center (“GCDC”) as a defendant in this matter. This court adopted the Report & Recommendation of Magistrate Judge Robert S. Carr dismissing GCDC as a Defendant on June 19, 2009. Lombardo subsequently filed a motion for reconsideration of the June 19, 2009 Order on July 1, 2009, alleging that he was “never given a chance to give any objections [to the Report & Recommendation]. The Opinion and Order is the first paperwork I have received stating anything involving a recommendation from a magistrate judge.” (Mot. Recons. 1-2.) The court interpreted Lombardo’s motion as a request for an extension of time to file objections to the Report and Recommendation and rescinded the June 9, 2009 Order, granting Lombardo an extension to file objections.

Lombardo filed the instant motion on August 5, 2009.¹ In his motion to amend, Lombardo requests “the removal of [GCDC] as a defendant I pray the court remove GCDC by my will.” (Mot. Am. 1.) The court, therefore, dismisses GCDC as a Defendant in the instant matter and adopts the Report & Recommendation.

¹ Houston v. Lack, 487 U.S. 266 (1988).

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
August 14, 2009